

REMARKS/ARGUMENTS

Claims 1-21 and 23-33 are pending in this application. By this Amendment, claims 32 and 33 are added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Allowable Subject Matter

The Examiner is thanked for the indication that claims 9-15, 23, 29 and 30 would be allowable if rewritten in independent form. New independent claims 32 and 33 include the allowable features of claims 15 and 29, respectively. Thus, new independent claims 32 and 33 should be in condition for allowance. However, for the reasons set forth below, claims 9-14, 23 and 30 have not been rewritten in independent form at this time.

II. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-8, 16-21, 24-28 and 31 under 35 U.S.C. §103(a) over U.S. Patent No. 6,069,648 to Suso et al. (hereinafter "Suso") in view of U.S. Patent No. 6,999,802 to Kim. The rejection is respectfully traversed.

Independent claim 1 is directed to a mobile terminal including a body part and a folder part rotatably coupled by a hinge part. The folder part is configured to rotate about an axis of rotation disposed along the hinge part so as to rotate between a first and second position relative to the body part. The mobile terminal also includes a camera configured to move longitudinally along the axis of rotation so as to extend outward from the mobile terminal as the folder part

moves from the second position to the first position, and to be retracted into the mobile terminal as the folder part moves from the first position to the second position. Independent claim 18 recites similar features in varying scope.

Independent claim 24 is directed to a method of operating a mobile terminal, including rotatably coupling a folder part to a body part to move between an open and closed position, and retractably extending a camera outside the mobile terminal as the folder moves to the open position. As acknowledged in the Office Action, Suso neither discloses nor suggests the features recited in independent claims 1, 18 and 24, or the respective claimed combinations.

More specifically, Suso discloses an information communication terminal including an upper case 1 coupled to a lower case 2 by a connection part 3. The connection part 3 includes a rotary shaft 7 connected to the upper case 1, a support shaft 6 connected to the lower case 2 and a housing 8. Small diameter parts 7a and 8a of the rotary shaft 7 and the housing 8, respectively, are inserted into a through hole 6a formed in the support shaft 6 to rotatably couple the upper case 1 to the lower case 2. A camera lens 9 and various other imaging components are housed in housing 8.

When the upper case 1 is folded against the lower case 2, the lens 9 is covered. When the upper case 1 is rotated away from the lower case 2, the lens 9 is exposed and can be used to capture an image. The lens 9 is installed within and exposed through a hole in the housing 8, thus ensuring that no parts project outward from the housing 8 or the terminal, protecting the components of the lens 9 and reducing a thickness of the terminal (see column 3, lines 8-11 and

column 4, lines 1-6 of Suso). Suso neither discloses nor suggests that the lens 9, or any of the components of the camera, move longitudinally along the axis of rotation defined by the connecting part 3, as does the camera recited in independent claim 1. Rather, the lens 9 remains stationary relative to the housing 8 and connecting part 3.

Further, Suso clearly discloses that the lens 9 and other components of the camera remain within the housing 8, even when the upper case 1 is moved so that the lens 9 is exposed. Thus, Suso neither discloses nor suggests that the lens 9 extends outward from the housing 8 or is retracted into the housing 8 as the upper case 1 moves relative to the lower case 2, as does the camera recited in independent claim 1. Likewise, Suso neither discloses nor suggests that the lens 9 or any of the components of the camera are positioned outside of the housing 8 when the upper and lower cases 1 and 2 are at a first predetermined angle relative to one another, as is the camera recited in independent claim 18. Additionally, Suso neither discloses nor suggests retractably extending a camera outside a mobile terminal as a folder moves to an opened position, as recited in independent claim 24.

Rather, it is respectfully submitted that Suso teaches a way from extending the lens 9 outside of the connection part 3 and/or housing 8. More specifically, Suso clearly discloses that the lens 9 and housing 8 are specifically designed such that no parts extend outward from the connection part 3 and/or the housing 8 so as to minimize the thickness of the mobile terminal and prevent damage to the lens 9 and other related components. Further, Kim fails to overcome the deficiencies of Suso.

Kim discloses a mobile terminal having phone, digital camera and PDA capabilities. Kim's mobile terminal includes a first housing 10 coupled to a second housing 20 by a bi-axial hinge 30 that allows the second housing 20 to rotate about two different perpendicular axes A1 and A2 to switch between a phone operation mode and a PDA operation mode. An upper portion 102 of the terminal includes a lens housing 102a that houses a lens 103. A shutter key K may be used to activate a digital camera operation mode. More specifically, when transitioning from the phone mode (shown in Figure 1 of Kim) to the PDA mode (shown in Figure 6 of Kim), the second housing 20 is first rotated about the first axis A1 to separate the second housing 20 from the first housing 10. Next, the second housing 20 is rotated about the second axis A2 to expose the PDA side of the upper housing 20. The upper housing 20 is then rotated about the first axis A1 to close the second housing 20 against the first housing 10.

The Office Action asserts that Kim teaches that the camera 103 moves longitudinally along an axis rotation of the mobile terminal at column 4, lines 46-51. Applicant respectfully disagrees. Kim merely discloses that the lens housing 102a is oriented along a longitudinal direction of the mobile terminal, and that the lens 103 is disposed along this same longitudinal direction. The arrow shown in Figure 2 merely indicates a direction through which an image is captured by the lens 103. Kim neither discloses nor suggests that the lens 103 moves along this direction, or that the lens 103 extends out of or is retracted into the upper portion 102 along this line, or any other direction.

As set forth above, the mobile terminal is put into digital camera mode by activation of the shutter key K, and the lens 103 and/or lens housing 102a remain stationary. Kim neither discloses nor suggests that the lens 103 and/or lens housing 102a move in any way, in any of the different modes of the mobile terminal, let alone that the lens 103 extends outward from or is retracted into the mobile terminal as the second housing 20 moves relative to the first housing 10. Thus, Kim neither discloses nor suggests a camera as recited in independent claims 1 and 18, nor the corresponding method steps recited in independent claim 24.

For at least these reasons, it is respectfully submitted that independent claims 1, 18 and 24 are allowable over the applied combination, and thus the rejection of independent claims 1, 18 and 24 under 35 U.S.C. §103(a) over Suso and Kim should be withdrawn. Dependent claims 2-8, 16, 17, 19-21, 25-28 and 31 are allowable at least for the reasons set forth above with respect to independent claims 1, 18 and 24 from which they respectively depend, as well as for their added features.

III. New Claims 32 and 33

New claims 32 and 33 are added to the application. It is respectfully submitted that new claims 32 and 33 meet the requirements of 35 U.S.C. §112 and, as set forth above, also define over the applied prior art.

IV. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes

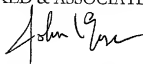
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would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Joanna K. Mason**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



John C. Eisenhardt
Registration No. 38,128
Joanna K. Mason
Registration No. 56,408

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DYKJ/KM:hd

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Please direct all correspondence to Customer Number 34610